

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHARLES EDWARD BUCHAN,

Petitioner,

v.

Case Number: 08-CV-12957
Honorable Patrick J. Duggan

DEBRA SCUTT,

Respondent.

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**ORDER
GRANTING MOTION TO AMEND**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on April 6, 2009.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
UNITED STATES DISTRICT COURT JUDGE

Petitioner, Charles Edward Buchan, a state inmate currently incarcerated at the G. Robert Cotton Correctional Facility in Jackson, Michigan, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, asserting that he is being held in violation of his constitutional rights. Petitioner filed the pending petition on July 10, 2008. (Dkt. # 1.) The Court ordered Respondent to file a response by January 15, 2009. Respondent complied. (Dkt. # 7.) The necessary Rule 5 materials were filed on January 22, 2009. (Dkt. # 8.) Now before the Court is Petitioner's motion to amend his reply brief, filed on March 9, 2009. (Dkt. # 10.) Petitioner requests that the Court permit him to amend his

reply brief in order to delete the information that was included on page 4, which was inadvertently attached from someone else's brief.

Federal Rule of Civil Procedure 15 permits a party to amend a pleading before a responsive pleading is filed. Fed.R.Civ.P. 15. Although Respondent has filed her response and the necessary Rule 5 materials, the Court finds that she will not be prejudiced by allowing Petitioner to amend his reply brief.

Accordingly, the Court **GRANTS** Petitioner's motion to amend his reply brief. (Dkt. # 10.) Petitioner shall file his amended reply within twenty-one (21) days of this Court's order.

s/Patrick J. Duggan
United States District Judge

Copies to:

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Laura Cook, A.A.G.